This Statutory Instrument has been made to correct an omission in S.I. 2023/887 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2024 No. 984

ELECTRICITY

The Electricity (Standards of Performance) (Amendment) Regulations 2024

Made - - - -	*1st October 2024*
Coming into force - -	*1st November 2024*

The Gas and Electricity Markets Authority(**a**) makes these Regulations in exercise of the powers conferred by sections 39A and 60 of the Electricity Act 1989(**b**).

In accordance with section 40B(1)(a) of that Act(**c**), the Authority arranged for such research as it considered appropriate with a view to discovering the views of a representative sample of persons likely to be affected and considered the results.

In accordance with section 40B(1)(b), (2) and (3) of that Act, the Authority published a notice of its proposals and considered the representations made in respect of those proposals.

In accordance with section 40B(1)(c) and (4) of that Act, the Authority consulted Citizens Advice, Consumer Scotland, electricity distributors, electricity suppliers, and persons and bodies appearing to be representative of persons likely to be affected by these Regulations.

The Secretary of State has consented to making these Regulations in accordance with section 39A(1) of that Act.

Citation and commencement

1. These Regulations may be cited as the Electricity (Standards of Performance) (Amendment) Regulations 2024 and come into force on 1st November 2024.

(**a**) The Gas and Electricity Markets Authority was established under section 1(1) of the Utilities Act 2000 (c.27).
(**b**) 1989 c. 29; section 39A was inserted by section 54(2) of the Utilities Act 2000; and section 60 was amended by section 3(2) of the Utilities Act 2000.
(**c**) Section 40B was inserted by section 56 of the Utilities Act 2000 and amended by paragraph 5 of Schedule 1 to the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631) and paragraph 3 of Schedule 1 to the Consumer Scotland Act 2020 (Consequential Provisions and Modifications) Order 2022 (S.I. 2022/34).

Amendment to the Electricity (Standards of Performance) Regulations 2015

2.—(1) The Electricity (Standards of Performance) Regulations 2015(**a**) are amended as follows.

(2) In regulation 4(1) (supply restoration standards of performance for electricity distributors)—

(a) for the definition of "category 1 severe weather conditions", substitute—

""*category 1 severe weather conditions*" means—

(a) conditions in which no less than eight times the daily mean faults at distribution higher voltage on the designated electricity distributor's distribution system at distribution higher voltage in a 24-hour period are caused by weather predominantly related to lightning; or

(b) conditions in which no less than eight times the daily mean faults at distribution higher voltage but fewer than thirteen times the daily mean faults at distribution higher voltage on the designated electricity distributor's distribution system at distribution higher voltage in a 24-hour period are caused by weather not predominantly related to lightning;";

(b) for the definition of "category 2 severe weather conditions" substitute—

""*category 2 severe weather conditions*" means conditions in which no less than thirteen times the daily mean faults at distribution higher voltage on the designated electricity distributor's distribution system at distribution higher voltage in a 24-hour period are caused by weather not predominantly related to lightning;".

(3) In regulation 6(3)(b) (supply restoration: normal conditions – 5,000 or more customers' premises interrupted) for "category 1, 2 or 3" substitute "category 1 or 2".

(4) In regulation 7(5) (supply restoration: severe weather conditions)—

(a) for "12" substitute "6", and

(b) for "a maximum of £700" substitute "the prescribed cap".

(5) In Schedule 2 (data for the purpose of calculating payments), in the description of the table in Part 3 omit ", the category 3 threshold number of customers and the upper-threshold number of customers".

The seal of the Gas and Electricity Markets Authority here affixed is authenticated by the signature of



Jonathan Brearley
A member of the Gas and Electricity Markets Authority

4th September 2024

I consent

Michael Shanks
Parliamentary Under-Secretary of State
Department for Energy Security and Net Zero

1st October 2024

(**a**) S.I. 2015/699, as amended by S.I. 2015/1544 and S.I. 2023/887.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Electricity (Standards of Performance) Regulations 2015 (S.I. 2015/699) ("the Principal Regulations"), which prescribe the sums that electricity suppliers and distributors must pay to a customer by way of compensation for failure to meet specified standards of performance in respect of the services to be provided by such suppliers or distributors, subject to certain exemptions. The provisions of the Principal Regulations amended by these Regulations relate to electricity distributors.

Regulation 2(2) amends the definitions of "category 1 severe weather conditions" and "category 2 severe weather conditions" as a consequence of the removal of the definition of "category 3 severe weather conditions" under the Electricity (Standards of Performance) (Amendment) Regulations 2023 (S.I. 2023/887). Regulations 2(3) and (5) make further consequential changes on the removal of the "category 3 severe weather condition" definition.

Regulation 2(4) amends regulation 7(5) of the Principal Regulations to reduce the time period from 12 hours to 6 hours for each period of time that compensation is payable after the relevant period has expired. The maximum amount that can be paid to a customer under this provision has been increased from £700 to the prescribed cap as set out in Part 1A of Schedule 2 to the Principal Regulations.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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